

PROB 12C  
(Rev. 2/13)

# UNITED STATES DISTRICT COURT

for

## DISTRICT OF NORTH DAKOTA

### Petition for Warrant or Summons for Person under Supervision

Name of Person Under Supervision: Juan Francisco Martinez Case Number: 3:22-mj-00115  
3:19-cr-00222

Name of Sentencing Judicial Officer: The Honorable Ann D. Montgomery, U.S. District Court Judge  
(District of Minnesota)

The Honorable Peter D. Welte, Chief U.S. District Court Judge  
(District of North Dakota)

Date of Original Sentence (MN): November 13, 2015

Date of Original Sentence (ND): November 9, 2020

Date of First Revocation Sentence: June 22, 2022

Date of Second Revocation Sentence: February 14, 2024

Original Offense: Felon in Possession of a Firearm – 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 942  
(a)(2) (MN)

Escape from Custody – 18 U.S.C. § 751(a) (ND)

Original Sentence (MN): 70 Months Custody // 3 Years TSR

Original Sentence (ND): 15 Months Custody with Credit for Time Served // 3 Years TSR (to run  
concurrent with Case Number 0:15-cr-23-01)

First Revocation Sentence (ND and MN): 8 months, with credit for time served // 30 months TSR  
(to run concurrent in both cases).

Second Revocation Sentence: 13 months and 29 days, with credit for time served //  
14 months TSR (concurrent custody and TSR on both  
cases)

Type of Supervision: TSR Date Supervision Commenced: 10/18/2024

Asst. U.S. Attorney: Christopher Cory Meyers Defense Attorney: Stormy Vickers

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### PETITIONING THE COURT

- ☒ To issue a warrant
- ☐ To issue a summons

The probation officer believes that the person under supervision has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
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- |    |  |
|----|--|
| 1. | <b>Mr. Martinez admitted to using THC on or about October 21, 2024, and Suboxone, without a prescription, on or about October 19-20, 2024. Additionally, on October 31, 2024, he provided a urine sample which tested positive for methamphetamine and admitted to using "a few days ago".</b> This is a violation of Special Condition #1 which requires the defendant to abstain from the use of alcohol and illegal drugs.                                      |
| 2. | <b>Mr. Martinez failed to obtain full time employment while on supervision.</b> This is a violation of Standard Condition #7 which requires the defendant to work full time at a lawful type of employment.  |
| 3. | <b>Mr. Martinez failed to provide proof of completing a chemical dependency evaluation as directed by the probation officer.</b> This is a violation of Special Condition #3 which requires the defendant to participate in a chemical dependency treatment program as approved by the probation officer.  |
| 4. | <b>Mr. Martinez failed to report for urine testing at Centre Inc. on the following dates: December 29 and 30, 2024.</b> This is a violation of Special Condition #2 which requires the defendant to submit to drug/alcohol screening as directed by the probation officer.   |
| 5. | <b>On December 31, 2024, Mr. Martinez was negatively discharged from the F5 Project sober living due to violating program rules and regulations. Since releasing from the F5 Project, he has failed to provide the probation officer with the address of where he has been residing and his whereabouts are currently unknown.</b> This is a violation of Standard Condition #5 which requires the defendant to reside at place approved by the probation officer. |
| 6. | <b>Mr. Martinez failed to attend his scheduled appointment at Benson Psychological Services on December 31, 2024.</b> This is a violation of Special Condition #6 which requires the defendant to participate in mental health treatment/counseling as directed by the probation officer.  |
| 7. | <b>Mr. Martinez admitted to using methamphetamine on December 31, 2024.</b> This is a violation of Special Condition #1 which requires the defendant to abstain from the use of alcohol and illegal drugs.   |
| 8. | <b>On December 31, 2024, Mr. Martinez informed his probation officer that he was traveling to Mahnomen, MN. He did not have permission from the probation officer to travel outside of the District of ND.</b> This is a violation of Standard Condition #3 which requires the defendant to not leave the federal judicial district where you reside without first getting permission from the court or the probation officer.                                     |

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U.S. Probation Officer Recommendation: It is respectfully recommended that a warrant be issued so the defendant can appear before the Court to address the alleged violations.

☒ The term of supervision should be:

☒ Revoked.

☐ Extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 3, 2025

/s/ Ted Truedson  
U.S. Probation Officer

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THE COURT ORDERS:

☐ No Action.

☒ The Issuance of a Warrant/Matter Sealed Pending Arrest.

☐ The Issuance of a Summons.

☐ Other

/s/ Peter D. Welte  
Signature of Judicial Officer

January 3, 2025  
Date